

MANSFIELD TOWNSHIP COMMITTEE MEETING

May 27, 2015

This is a regular meeting of the Mansfield Township Committee. The notice requirements of the law have been satisfied for this meeting by notice to the Star-Gazette and the Express Times of the time, date and location thereof. Notice was also posted on the announcement board located in the Municipal Building.

Roll Call: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy

Salute to the flag was done by all.

APPROVAL OF THE MINUTES:

Mr. Watters made a motion to approve the minutes from the regular meeting held on May 13, 2015 with corrections, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy
Nays: None
Absent: None
Abstain: None

BILL LIST:

Mrs. Kocher made a motion to approve the bill list as presented, which was seconded by Mrs. Korczukowski.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy
Nays: None
Absent: None
Abstain: None

CLERKS REPORT:

Ms. Hrebenak stated that she received applications from the Relief association for Mark E. Snyder, James B. Erdmann, Jr., and John R. Hague.

Mrs. Korczukowski made a motion to approve the Clerk signing the applications for the Relief Association, which was seconded by Mr. Misertino.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy
Nays: None
Absent: None
Abstain: None

Ms. Hrebenak stated she received an application for an amendment for the Bingo and Raffle licenses for Mansfield Township Fire Company.

Mr. Watters made a motion to approve the application to amend licenses for Mansfield Fire Company for the raffle and bingo licenses, which was seconded by Mrs. Korczukowski.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy
Nays: None
Absent: None
Abstain: None

FINANCE REPORT:

Mr. Daniel had nothing to report at this time.

EMPLOYEES REPORTS:

Mrs. Fascenelli had nothing to report.

ENGINEER'S REPORT:

Mr. Finelli stated that the Constellation Solar project was well on its way and that they had to reopen the Route 57 entrance had to be reopened today so that they could have a large crane delivered, but the crane has already been removed and the entrance is closed again.

Mr. Finelli stated that he has begun work on the Watters Road project for the Municipal Aide grant that was received. Mr. Finelli stated that there will be some DEP permits required.

Mr. Misertino made a motion to move forward with the DPW Salt Shed, which was seconded by Mr. Watters.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy
Nays: None
Absent: None
Abstain: None

ADOPTION OF RESOLUTION 2015-52 2015 Municipal Budget

Mr. Tom Ferry presented the 2015 Budget to the Township Committee and the public.

Mayor Clancy thanked the Committee for their work on the budget and stated that he was happy that everyone had worked together.

Mr. Proefrock, Diamond Hill, asked about the Accumulated Absences in the budget.

Mr. Proefrock asked about the Clerks salary and why it was moved into the Administrative and Executive line item.

Mayor Clancy stated that this was done last year.

Mr. Proefrock asked about the amount on page 43 the amount in open space \$316,552.54.

Scott Minter, asked what the increase was for the Shared Service line. Mr. Minter asked if the other municipalities within the contract are absorbing some of the cost of the upkeep of the Municipal Building.

Mr. Watters made a motion to approve, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy
Nays: None
Absent: None
Abstain: None

Mr. Misertino made a motion to enter into Executive Session at 8:20pm, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy
Nays: None
Absent: None
Abstain: None

Mr. Watters made a motion to come out of Executive Session at 8:45, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy
Nays: None
Absent: None
Abstain: None

Mr. Lavery stated that during Executive Session the Committee discussed a litigation matter dealing with COAH and also a personnel matter dealing with an employee no official action was taken. Copies of these minutes will be released as soon as the Township Committee deems them no longer a harm to the public interest.

Mr. Watters made a motion to approve the attorney filing Declaratory Judgement for COAH, which was seconded by Mrs. Korczukowski.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy
Nays: None
Absent: None
Abstain: None

Mr. Watters made a motion to approve the hiring of Dr. Burshell to go through the Fair Share housing numbers and review the requirements given to the Township, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy
Nays: None
Absent: None
Abstain: None

Mr. Watters made a motion to approve the hiring of a temporary part time violations clerk, which was seconded by Mr. Misertino.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy

Nays: None

Absent: None

Abstain: None

PUBLIC PORTION:

Mr. Gaulet spoke to the Township Committee in regards to his neighbor and the concerns he has with this property.

Rich Petteruti, Snyder Road, asked what the ordinance is that covers the location and placement of Political Signs.

Mayor Clancy stated that the Township does not have an Ordinance, but that he is not sure if the State has a statute for the signage placement.

Ms. Hrebenak stated that she was asked the same question earlier in the week and that Mr. Finelli had called the state and there are no statutes regarding placement of the signs.

Mr. Petteruti stated that when he was on the School Board they were not allowed to place signs on any of the township properties.

Mr. Petteruti asked that the Township Committee consider an Ordinance that would not allow signs to be placed on municipal properties.

Elizabeth Griggs, 545 Mount Bethel Road, inquired about where the Township was the Abandoned Property Ordinance that Mr. Misertino was looking into.

Mr. Misertino stated that he has one and that he is reading it over and will present something to the Township Committee.

Scott Minter, 545 Mount Bethel Road, asked about the reassessment to appeals comparison. Mr. Minter asked about the mark out on Mount Bethel.

Ms. Hrebenak stated that she would talk to the Tax Assessor and give the Township Committee the comparison.

Mr. Misertino and Mayor Clancy explained that the mark out is for indication of where there are washouts and potholes in the road.

Matt Hoover, 276 Rockport Road, spoke to the Township Committee in reference to his zoning application for a pole barn.

The Township Committee agreed that the Zoning Officer could issue the permit and that the ordinance

should be amended for size requirements.

Joe Farino, 195 Blau Road, how many hours were given for comp time would it be wise to pay that amount out instead of offering comp time.

RESOLUTION:

**RESOLUTION # 2015-63
LIEN REDEMPTION**

**TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY**

WHEREAS, the Tax Collector of the Township of Mansfield has advised the Committee that the following property has been redeemed and the money due thereon paid to the Township of Mansfield Tax Collector;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield this 27th day of May 2015, that payment is to be made to the certificate holder as noted:

Block	Lot	Address	Lienholder	Cert#	TOTAL REFUNDED
0601.03	65	30 Domin Ln	US BankCust PC5 Sterling National Tax Lien Services Group 50 S 16 th Ste 2050 Philadelphia, PA 19102	2014-04	\$ 9,949.83

Mr. Watters made a motion to approve the passage of Resolution 2015-63, which was seconded by Mrs. Korczukowski.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy

Nays: None

Absent: None

Abstain: None

RESOLUTION 2015-64

**APPOINTMENTS TO CERTAIN MUNICIPAL OFFICES AND
POSITIONS FOR THE YEAR 2015:**

BE IT RESOLVED, that the following persons be and each is hereby appointed for a period of one (1) year commencing June 15, 2015 to the following respective municipal offices and/or positions of the Township of Mansfield:

Police Officer	Erik Soroka	\$40,000 per annum
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Beginning 6/15/2015

Mr. Misertino made a motion to approve the passage of Resolution 2015-64, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy
Nays: None
Absent: None
Abstain: None

TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY

RESOLUTION # 2015 –65

TITLE: INSERTION OF SPECIAL ITEM OF REVENUE PURSUANT TO N.J.S.A. 40A:4-87, CHAPTER 159

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount; and

WHEREAS, the Township of Mansfield has been awarded \$ 22,048.58 from the Solid Waste Administration – FY 2015 Clean Communities Grant and wishes to amend its 2015 Budget to include this amount as revenue.

SECTION 1.

NOW, THEREFORE BE IT RESOLVED that the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of \$ 22,048.58 which is available as a revenue from:

Miscellaneous Revenues –

Revenue Offset with Appropriations – 2015 Clean Communities Grant

Total with increase to be \$ 22,048.58

SECTION 2.

BE IT FURTHER RESOLVED that a like sum of \$ 22,048.58 be and the same is hereby appropriated under the caption of:

General Appropriations –

Public & Private Programs Offset by Revenues – 2015 Clean Communities Grant

State / Federal Share \$ 22,048.58

Non State Share \$

Total with increase to be \$ 22,048.58

BE IT FURTHER RESOLVED that two certified copies of this resolution with a copy of the appropriate documentation be forwarded to the Division of Local Government Services.

Mrs. Kocher made a motion to approve the passage of Resolution 2015-65, which was seconded by Mrs. Korczukowski.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy
Nays: None
Absent: None
Abstain: None

TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY

RESOLUTION # 2015 –66

TITLE: INSERTION OF SPECIAL ITEM OF REVENUE PURSUANT TO N.J.S.A. 40A:4-87, CHAPTER 159

WHEREAS, N.J.S.A. 40A4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount; and

WHEREAS, the Township of Mansfield has been awarded \$ 750.00 from the Association of New Jersey Environmental Commissions (2015 Sandy Batty Open Space Grant) and wishes to amend its 2015 Budget to include this amount as revenue.

SECTION 1.

NOW, THEREFORE BE IT RESOLVED that the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of \$ 750.00 which is available as a revenue from:

Miscellaneous Revenues –

Revenue Offset with Appropriations – Association of New Jersey Environmental Commissions (2015 Sandy Batty Open Space Grant)

Total with increase to be \$ 750.00

SECTION 2.

BE IT FURTHER RESOLVED that a like sum of \$ 750.00 be and the same is hereby appropriated under the caption of:

General Appropriations –

Public & Private Programs Offset by Revenues – Association of New Jersey Environmental Commissions (2015 Sandy Batty Open Space Grant)

State / Federal Share \$ 750.00

Non State Share \$

Total with increase to be \$ 750.00

BE IT FURTHER RESOLVED that two certified copies of this resolution with a copy of the appropriate documentation be forwarded to the Division of Local Government Services.

Mr. Misertino made a motion to approve the passage of Resolution 2015-66, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy

Nays: None

Absent: None

Abstain: None

ORDINANCE:

ORDINANCE 2015-08

**TOWNSHIP OF MANSFIELD, COUNTY OF WARREN,
STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING
CHAPTER 256 OF THE TOWNSHIP CODE
TO PROHIBIT CERTAIN NUISANCES**

ARTICLE 8. NUISANCE PROHIBITED

256.1 Noise Prohibited.

It shall be unlawful for a person to make, continue or cause to be made or continued any loud, unnecessary or unusual noise or any noise which does or is likely to annoy, disturb, injure or endanger the comfort, repose, health, peace or safety of others.

256.2 Definition of Noise.

Without intending to limit the generality of subsection 9-70, the following acts are hereby declared to be examples of loud, disturbing, and unnecessary noise in violation of this section:

- a. *Radios; Televisions; Phonographs.* The playing, use or operation of any radio receiving set, television, musical instrument, phonograph or other machine or device for the producing or reproducing of sound in such a manner as to disturb the peace, quiet and comfort of neighboring inhabitants or with louder volume than is necessary for convenient hearing for persons who are in the room, vehicle or chamber in which the machine or device is operated and who are voluntary listeners. The operation of such a set, instrument, phonograph, machine or device so that it is clearly audible at a distance of one hundred (100') feet from the building, structure, or vehicle in which it is located shall be prima facie evidence of a violation of this section.
- b. *Yelling; Shouting.* Yelling, shouting, hooting, whistling or singing on the public streets, particularly between the hours of 11:00 p.m. and 7:00 a.m., or at any time or place, which annoys or disturbs the quiet, comfort or repose of persons in any office, dwelling, hotel, motel or other type of residence or of any persons in the vicinity.
- c. *Animals; Birds.* The keeping of animals or birds which, by causing frequent or long-continued noise, disturbs the comfort or repose of any person in the vicinity; but nothing herein contained is intended to apply to a dog pound or kennel licensed in accordance with Section 6-6 of these ordinances.
- d. *Horns.* The sounding of a horn or warning device on an automobile, motorcycle, bus or other vehicle except when required by law, or when necessary to give timely warning of the approach of the vehicle, or as a warning of impending danger or persons driving other vehicles or to persons on the street. No person shall sound a horn or warning device on an automobile, motorcycle, bus or other vehicle which emits

an unreasonably loud or harsh sound, or for an unnecessary or unreasonable period of time.

256.3 Penalties.

Section 1-8 hereof, penalty shall apply.

Mr. Misertino made a motion to approve the introduction of Ordinance 2015-08 and requested that the public hearing be advertised to be held June 24, 2015, which was seconded by Mr. Watters.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy
Nays: None
Absent: None
Abstain: None

COMMITTEE PERSON COMMENTS:

Mr. Misertino stated that Terri Laffan has acquired a place to be awarded a grant from Liberty Mutual called Play Positive.

Mr. Misertino made a statement to the Committee members in relation to upcoming elections.

Mrs. Korczukowski apologized to Ms. Griggs about not having been in attendance at the Open Space meeting and stated that she would make arrangements to be in attendance at the meetings.

Mrs. Kocher stated that she would like to nominate Ms. Nerbak as citizen representative to the Scenic Byway committee.

Mrs. Kocher made a motion to move forward with the above mentioned appointments, which was seconded by Mr. Watters.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy
Nays: None
Absent: None
Abstain: None

Mayor Clancy appointed Mrs. Korczukowski as the Township Committee representative for the Scenic Byway Committee, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy
Nays: None
Absent: None
Abstain: None

Mrs. Kocher made a motion to move forward with the video conferencing system for the Court as long as the 120 minutes will work for the court, which was seconded by Mr. Watters.

Ayes: Mr. Misertino, Mr. Watters, Mrs. Kocher, Mrs. Korczukowski, Mayor Clancy

Nays: None
Absent: None
Abstain: None

The Township Committee discussed speaking with the State about getting more signage for truck traffic

Mrs. Korczukowski stated that on June 13th the school will be celebrating the 50th Anniversary of the Opening of the Mansfield School and she will be attending.

Mrs. Korczukowski made a motion to adjourn at 9:41pm.